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DATE FILED: 10/28/2021

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANGEL VALVERDE,

Plaintiff,

-against-

J.D. FOLKS, Correction Officer at Sing Sing Correctional Facility; T.A. CUNNINGHAM, Correction Officer at Sing Sing Correctional Facility; L. BROWN, Correction Officer at Sing Sing Correctional Facility; "JOHN" GONZALEZ, Sergeant at Sing Sing Correctional Facility; "JANE" FRANGELLA, Registered Nurse at Sing Sing Correctional Facility; "JOHN" ORICCO, Lieutenant at Sing Sing Correctional Facility; "JOHN" MAYES, Hearing Officer at Downstate Correctional Facility; ROBERT MORTON, Superintendent of Downstate Correctional Facility; MICHAEL CAPRA, Superintendent of Sing Sing Correctional Facility; JOHN DOES (1-10), Correction Officers at Sing Sing Correctional Facility,

Defendants.

1:19-cv-08080-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

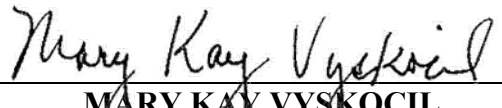
On October 21, 2021, the Court received a letter from Plaintiff's counsel in which she represented that Plaintiff, who is presently incarcerated at Attica Correctional Facility, sent her a distraught letter and that Plaintiff fears for his life. Counsel requested that the Court place Plaintiff in protective custody, investigate alleged recordings of attorney-client communications, and direct that he be moved to a correctional facility near his home in Schenectady. [ECF No. 126]. The Court subsequently directed Plaintiff to submit a request for protective custody and any other relief he seeks with the Department of Corrections and Community Supervision or the Attica Correctional Facility and then to submit to the Court a status letter regarding that request and with further explanation about the basis for Plaintiff's fear for his safety as well as Plaintiff's prison transfer history. [ECF No. 127].

The Court is in receipt of Plaintiff's letter dated October 28, 2021. [ECF No. 128]. Counsel represents that she is now in contact with Attica Correctional Facility regarding Plaintiff's request for protective custody as well as his request for relocation to another correctional facility. She also confirmed that Plaintiff has been transferred from Sing Sing Correctional Facility, where the alleged section 1983 violations occurred.

Therefore, the Court DENIES Plaintiff's request as moot.

SO ORDERED.

Date: October 28, 2021
New York, NY



MARY KAY VYSKOCIL
United States District Judge